COLORADO HIGH SCHOOL ACTIVITIES ASSOCIATION
LEGISLATIVE COUNCIL MINUTES
THURSDAY, JANUARY 29, 2015

RADISSON DENVER SOUTHEAST
3155 S. VAUGHN WAY
AURORA, CO

CALL TO ORDER

President Curt Wilson called the January 29, 2015 meeting of the CHSAA Legislative Council to order at 8:40 am.

ROLL CALL

Associate Commissioner Tom Robinson called the roll of the members of the Legislative Council as listed below:

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<th>Name</th>
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<td>Nighswonger, Brady</td>
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<td>Fisher’s Peak</td>
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<td>Denning, Ken</td>
<td>Front Range</td>
<td>Wallin-Kuntz, Bonnie</td>
<td>YWKC</td>
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All members were present.
INTRODUCTIONS

President Curt Wilson introduced the members of the Board of Directors: Paul Cain, Mesa County Valley Schools, District 1; Mike Schmidt, Platte Canyon, District 2; Kathleen Leiding, Lyons, District 3; Jim Thyfault, Jefferson County Schools, District 4; Loren Larrabee, Lutheran, District 5; Eddie Hartnett, Adams Five Star Schools, District 6; Sandi Weece, South Park, District 7; Joe Garcia, Antonito, District 8; Rick Macias, Pueblo City Schools, District 9; Wendy Dunaway, CDE representative; Jim Engelker, CASB representative; Jim Lucas, Pine Creek, CASE; and Rick Mondt, Briggsdale; CASE; and Alex Halpern, Legal Counsel.

President Wilson then introduced Parliamentarian Ben Rainbolt and the CHSAA staff; Commissioner Paul Angelico, Associate Commissioner Tom Robinson, Assistant Commissioner Bert Borgmann, Assistant Commissioner Bethany Brookens, Director of Digital Media Ryan Casey, Assistant Commissioner Bud Ozzello, Assistant Commissioner Jenn Roberts-Uhlig, and Assistant Commissioner Harry Waterman.

OPEN FORUM

Ryan Casey introduced Tim Geldeen, the parent of a future high school student speaking in regards to cross country. Mr. Geldeen expressed his concern about Norris Penrose being designated as the site for 2015-16 state cross country meet with the possibility of it being held there through 2020.

APPROVAL OF MINUTES OF THE APRIL 17, 2014 LEGISLATIVE COUNCIL MEETING

It was moved (Jon King) and seconded (Tom Turrell) and passed to approve the minutes of the April 17, 2014 Legislative Council meeting.

PRESIDENT’S OPENING REMARKS

President Wilson said he thought carefully about how he would address the membership this morning. After last night’s Hall of Fame Banquet, I am very careful what I say to the group of quality people that sits here. I think I will speak from the heart after some things that were said last night that need to be pointed out before we proceed. I’ll be brief. I learned a lesson from a grandmother last Friday night at a C team basketball game. As I sat and watched, right before halftime, a young man came down and was the recipient of someone else’s efforts on defense. He got an assist and made a layup right at the buzzer. Not the fourth quarter buzzer, but the second quarter buzzer. He subsequently ran to the corner of the gym where the young man was so elated he grabbed his chest and did the Cam Newton, and celebrated. I was very appreciative of the coach who addressed that at half time. The young kid needed correction. After the game, as I was seated there with my family, there was an elderly lady seated behind me and was the grandmother of that young man, and afterwards the young man came over and addressed grandma and said, “son, what are you doing with your chest”. The young man tried to explain that he was emulating Cam Newton, and the whole Superman thing. Her comment was “you don’t have an S on your chest, yours isn’t even a capital letter yet.” I knew at that time the young man wasn’t in eminent danger, but I left to let her proceed with the rest of her correction, and I really appreciated that. Obviously the young man learned it from television and tried to emulate.

Last night we listened to the 1966 Manual basketball team, and it was interesting most of their conversation surrounded the people that made a difference in terms of their behavior and correcting them when necessary and keeping them in line. Their subsequent victories were not only on the court but the fact that every one of those men went to college and became successful. If you met them last night, you would understand what quality really is. Yes they were 20 and 0 and undefeated and declared the best basketball team of all time by some. It is interesting what stuck. It is sad, I guess, that heroes and superstars of today are many, and they are frequently becoming examples sometimes of dishonesty or instability and they flagrantly or indifferently flaunt those weaknesses of character before a very captive audience. However, when I approach high school activities, I am keenly aware that today’s educator’s, coaches, AD’s and
organizations are often the brunt of negative media, and such is not the context of what I say. Instead of being a critic, I think I will choose to point out that which is good. It is very difficult to walk through schools and venues in this state from sports to academics to the different types of activities and not just walk away with awesome reverence for what happens for our youth and to see so many noble and dedicated people who use all those terms and clichés that sometimes fall on deaf ears that give these people their heart and soul because of what they believe will make a difference in young people’s lives, and they do. People last night spoke to people that motivated them to want to do good so much that some would run through a wall for that person. They spoke of the bonds that you and I know today because if we’ve experienced something in activities, there is always a bond there that’s not spoken of, but it is a bond that carries through for a lifetime. I choose to promote that which is good, and I know there are critics that want to turn high school activities into something that it was never meant to be. Well intended people and sometimes those critics, it is not that they don’t know anything, it’s just sometimes they know so much about what isn’t so, and they miss that good that comes from high school activities.

I want to refer back to the CHSAA mission statement which I did with the Board of Directors yesterday because I will skip the spilling the banks of English or calling someone out in the Legislative Council to reverberate that back to isn’t going to work, but it’s about training good people, and it will always be about training good people. I appreciate the grandmas like I witnessed last week, and I appreciate the coaches that promote team over individual attention. There is a coach which I once quoted who was so disgusted. He used the example of a defensive lineman finally getting a sack, a coverage sack, and then going into some choreography dance while they were 35 points behind, or 35 points ahead. I’m so thankful for those who preach loyalty and not criticism, contribution rather than distraction. They avoid selfishness and they don’t refer to themselves in the third person. One of the biggest things I think was taught and I learned last night, was that people enjoyed the success of other people and by doing so, doesn’t diminish their station or their status but I think that is one of the biggest things we can teach. Through activities and through athletics is to promote that which is good even in the opponent. Our mission is right. It is good. My simple message this morning is to thank you humbly for what you do and the dedication you have because you do make a difference. For those that mentored, that coached, that teach the right way, you are worth everything as we don’t have time to do it over. My gratitude and my thanks.

We will continue with our meeting orientation.

President Wilson introduced Ben Rainbolt, Parliamentarian, to explain the rules of order.

**RULES OF ORDER - PARLIAMENTARIAN**

Parliamentarian Ben Rainbolt said “it is good to be back with all of you”. As a frequent participant and spectator at many of your events at your schools, I want to say I appreciate what you do at your local communities, and I really appreciate you coming and representing CHSAA here at the Legislative Council. I’ll remind you that the amendments to the Constitution and Bylaws that are found in your packets are already in the form of a motion, and only a second is required from those. Committee reports will need a motion and a second to be accepted. Usually the person giving the committee reports would make the motion and then would require a second. Amendments to committee reports that are submitted ahead of time and are located in your packet, and only require a majority vote to pass. The amendments that might come from the floor today, are going to require a two thirds vote to pass. Also remind that a league or an organization cannot second their own motion. There is no debate on a motion until a second is received. We ask that no member speak more than once to an issue unless you are a maker of a motion or are in need of a rebuttal. All remarks should be limited to five minutes. Any legislative council member, board member or CHSAA staff member may request a roll call vote or a caucus and that only members of the legislative council, board or CHSAA staff can speak to an issue unless that speaker is recognized by a legislative council member, board member or CHSAA staff member and then approved by President Wilson. Many times we have to reconsider several things that have passed in previous legislative council meetings, and I would ask that you kind of think of those as a book on a shelf. If you want to reconsider an item, we have to first vote as a group to
take that book off the shelf. Once we pass that vote to take the book off the shelf, the book is open and then you can amend it, change it, or do nothing to it. Then we have to close that book and put it back on the shelf. I will also remind you that as President Wilson went over the votes that as according to CHSAA bylaws, it is the number of votes cast and so you really have three choices of voting. You can either vote yes, you can vote no, or you can abstain. So to get a majority vote if only seven people vote, a motion can pass on a vote of four to three. So it is important that you participate as a CHSAA member. Other than that, if there are any questions, please feel free to come up, and I will happy to answer. I will now turn it back to President Wilson.

**COMMISSIONER’S UPDATE**

President Wilson introduced Commissioner Paul Angelico for the Commissioner’s update.

Thanks and welcome. I never prepare remarks for this because if you ever try to follow Curt Wilson, it’s about impossible. Thanks for your comments, Curt. I wanted to thank Bert and Whitney for a tremendous night last night. That’s always one of the best things we do. The Hall of Fame banquet really highlights what we are about. Today you have several choices to make, and I just want to make sure that you understand that some of the things we have forwarded to you, we have not forwarded because we think those are the right answers. An example is the transfer rule. I think you have three versions of changes in the transfer rule. I am here to tell you that we forwarded those to you because we continue to hear from the membership that they are unhappy with what we have. As we traveled the state at outreach meetings, it didn’t appear as any of those three are the answer, and that’s really okay. We’ve started that discussion. We’ve got the membership talking about what’s the right thing to do, and we don’t have a great expectation in any of those passing. Matter of fact, for me personally, I don’t think our rule is as broken as some think it is. I’m not trying to encourage any kind of vote, I just want you to know we have forwarded you things in response to what we see the membership desiring to talk about. Know that going into your deliberations today.

Commissioner Angelico then discussed a recap of the fall. I think the fall crowds were good, the attendance at state events was up a little bit. That’s not my concern. My concern at this point is our attendance at local events, which appears to be down. We’re fighting an uphill battle on developing interest at that local level. One of the things we’ve done, is join the National Federation TV Network because while that sounds like this big, giant national network, it’s really a hyper local because your kids can be on television for your crowd any day of the week, and they can watch it over and over and over. We’re hoping the more exposure the public has to those kinds of events, the more interest we can generate in those events. I want to encourage you to do what you can to participate in that network. Also the playoffs were relatively, I guess, other than cross country, free of much controversy, which is a good thing. I think the thing I gauge success on is are we all on the same page, and I’m starting to feel we are more and more so getting there. Jody Redmond kicked us all off in the right direction at the summit last fall. You’ll see on the CLOC committee report there are things that reflect some of that. Having said that, we don’t exist without corporate help. You’ll see in the budget report that we’re down this year because our corporate is down. I want to make sure you all know Jamie from Wilson. We have been partners with them for 30 years. We’ve had Wilson balls as our official ball for 30 years. We believe they are the clear leader and the best balls overall for everything we need. I know we hear about things, but Wilson is our best fit for what we do in high school. They’re also the official ball of the NFL, NCAA, soccer, US Open Tennis and in 32 other states. A reminder with state playoffs starting in basketball in just a few leagues, our contract with Wilson is that you use a Wilson ball in all rounds of state playoff games. I’m not too concerned. I believe everyone is using Wilson for the most part anyway, but I feel obligated to share that again. Please visit Jamie sometime today. I think he is giving away free footballs for anyone that stops by. Jamie responded that he is giving away air pumps.

The last reminder what we are here for today is to ensure that the activities that we are offering out students are designed and are intended to create young men and women of character and integrity that will go out into the world better prepared to make their communities better places to live. We are not voting on state
championship procedures. We are voting on what things do we give kids to make them better people, and while sometimes you don't see that direct correlation, everything you do to affects 170,000 kids across the state. Be prudent, be wise, and if you need something, see Curt.

LEGAL UPDATE

President Curt Wilson introduced Alex Halpern for the Legal Update.

Since we last spoke, the legal front has been reasonably quiet. We haven't had any litigation or arbitration. We have had the usual number of threats of litigation and arbitration, but no actual contested proceedings. We have had more than the usual number of appeals to the Board of Directors. I think we've had one at each Board of directors meetings since September, and those take a considerable amount of time and consideration by the board and I know that they put a lot of effort into thinking through the appropriate decision. On a couple of recent ones, the focus has been on students transferring to follow coaches. You would think that is the sort of rule you could figure out really easily if you were violating it or not, but people are pretty creative about things they can think of why or maybe they didn't know or whatever. We have been upholding that rule strictly including yesterday. That is what is happening on that local front.

Nationally probably many of you are aware that there is a class action law suit that was recently filed in Illinois on behalf of the high school football players present and past related to discovery of concussion and concussion related injuries. The attorneys for the plaintiff students are very experienced. They have also participated in equivalent litigation with the National Football League and the NCAA. The high school litigation, of course, involves a lot more people, a lot more participants. The lawsuit is just in its beginning stages and I'm sure it has the possibility of stretching out for a long time. We have had indications, I'm sure you've heard, the story that from the point of view of the students and their counsel, Illinois is a test case, or is the first case, and should they be successful or maybe, that's not a condition, the intention is that that is the first step towards making a broad scale effort throughout the country. We and all the other high school activities associations, have had a request to join in a joint interest agreement with them, which is to say that we agree that they can communicate with us, and we can communicate with them on the subject matter of the litigation without breaching attorney client privilege, which is a complicated way of saying that we would agree to cooperate with them in their case and vice versa. That matter is under consideration by the Board of Directors which will help in making a decision about that in February. The case challenges the protocols and procedures implemented by stature and rule in Illinois for how to respond to concussion injuries or suspected concussion injuries claims that the association and others while those procedures are inadequate and the association and others knew for a long time that there was a problem there and failed to take steps for the safety of the students. What the plaintiffs are seeking, in addition to a change in procedures, expansion of protection for students is also the development of a fund to assist student athletes, victims of sports injuries in the future when those injuries manifest as medical problems. Of course, we will be following this very closely. We anticipate it will be a big topic at the National Federation Legal Conference in April, and will keep you advised. This sort of litigation can go on for a long time, and our main plan at this point is to keep a low profile and not let Colorado be number two on their list.

Thank you for your attention, and good luck with your votes and considerations this morning.

TREASURER’S UPDATE

President Curt Wilson introduced Commissioner Angelico for the Treasurer’s Update.

You have the December 31 budget in you packet. If you would like to turn to that. In the interest of transparency, I will go through some of the figures that you need to understand the differences in, and explain those and then I will be honest with you where we are. Not as rosy as last year. As you go down on the income side, you will see corporate and promotions is down $154,000. We lost Farmer’s, and we lost First Bank out of the blue. Farmers was in six or eight states, and they withdrew from all of them in lieu of a national campaign through television, so that was a whole bunch of money to the tune of $150,000. First Bank went with some youth sports rather that high school, and we lost, I think, another fifty there. We start the year down $200,000 from where we were last year. The good news in that is that I didn’t budget for that full amount to come in so I think we won't be as hurt by that as that may show. I'd like to take credit like I was smart in doing that, but it really had nothing to do with that but dumb luck. Other
ones you will see, rules books are down $19,000. That is a timing issue. We haven’t billed the officials’ associations. That will come in. When you get into the sports, I’m just going with the major differences. Football shows being down $46,000. Another timing issue. I think we got in one check from a school district for several games that was like $30,000. We expect football to make budget. So that should not be the down that it looks like it is there. Boys Soccer, we haven’t received our check from Dick’s that is probably up from last year, so that’s good news. So when you go to the bottom line, we brought in 2.1 million which is $257,000 less than this time last year. It’s really more like a $150,000. The rest of it is coming in, it just hasn’t hit the books yet. That $150,000 will carry on because of the lack of corporate, and as you may know, the National Federation Network has stationed a salesman in our office. Jenn is working closely with him trying to bring him along, and we believe the potential is there. The website has pulled in good advertising dollars and will continue to do so. We’ve just signed a different contract which could double what is coming in, so Ryan continues to pay for himself which is a good thing. We couldn’t bring in enough money to pay for Ryan for what he’s worth, but maybe we can pay his salary. On the expense side, on the major differences, you will find bonding/liability insurance is up $25,000. That was money we paid for officials’ insurances that we get paid back that hasn’t happened yet so that’s not necessarily true. The big one is the building fund. We had to have a new roof, and rooftop units on the building. They were 28 years old. That was to the tune of about $170,000. We paid that out of the reserve fund, but the auditors haven’t taken it out of the budget expense and put it in the reserve fund, so that $144,000 is not accurate. That has been paid for out of different accounts. The sports as you can see, I’m pleased that our fall sports are actually down in expenses. What we are finding, and when we hear the budget report, you will hear more. We continue to go to facilities that cost money. We go to CU, Invesco, Dick’s, etc. We go to great places for kids. They continue to go up, and so far we have been pretty hesitant to raise ticket prices to cover those increased expenses. It’s catching up to us just a little bit. Anyway, when you see that we’ve spent $2,071,000, and that’s $344,000 more than last year. Keep in mind $170,000 of that $344,000 was for the roof, and came out of a different account and that shouldn’t count against that $344,000. About another $100,000 on income that hasn’t hit the books. We are about probably where we were last year, but I don’t want to paint a rosy picture that we are in great shape. We are having to work really hard to not be in the red this year. Now, we have a great reserve account that we can go to. I would like to not touch that, but at least we have that to buy some time if we need to get things in line. I still believe television, website, increased ticket prices and so on, we have the capability to make money. It is just these two surprises that really got to us. With that, I would take any questions you might have. Just for fun? Okay. If you have them, and you don’t want to talk in public, come see me.

There were no questions.
Constitutional Proposals
(Requires 2/3 vote for approval)

It was seconded (Jodi Reinhard). The motion passed 70-0.

CON 1 – DEFINITION OF A SCHOOL ELIGIBLE FOR MEMBERSHIP (Board of Directors)

AMEND THE CONSTITION AND BY-LAWS to read:

Amend Rules by changing 600.1 to read:

___ yes  ___ no

600. MEMBER SCHOOLS

600.1 Any PUBLIC senior high school may become a member of the Association through its school district board of education. Any rights or interests resulting from membership within the CHSAA is the property of the school district in which the member school is located.

DEFINITION OF A SCHOOL ELIGIBLE FOR MEMBERSHIP – A school eligible for CHSAA membership shall be defined as an educational institution, public or private, which provides instruction for its students in a defined physical building or space dedicated to a multi-student instructional setting. The building generally will contain physical space necessary to hold athletic competitions, non-athletic activities and may have surrounding areas designated for outside athletic activities and non-athletic activities.

600.11 ACCEPTANCE OF BY-LAWS -- In order to become a member of the CHSAA, the board must annually pass a resolution indicating that it will accept the CHSAA Constitution and By-laws as the minimum standards for conducting its interscholastic program.

600.12 RESPONSIBLE REPRESENTATIVE -- The principal or superintendent of the member school shall be the representative of the member school in all activities of the association.

Rationale
By defining the school in this manner, we will not have on-line schools, home schools, etc., seeking membership in the Association. Participation for their students are already defined by state statute.

Pros
Gives a firm definition of a school.
Gives notice to “virtual” schools that they need a traditional educational setting to become a member.

Cons
None
It was seconded (Greg Mikolai). The motion passed 59-11.

**CON 2 – BOARD OF DIRECTORS**

AMEND THE CONSTITUTION AND BY-LAWS to read: Amend Rules by changing 810.11 to read:

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yes no

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**810. BOARD OF DIRECTORS**

810.11 The Committee shall consist of the CHSAA Commissioner (as a non-voting member), the State Commissioner of Education or his/her appointee, the President of the Colorado Association of School Boards or his/her appointee, a current elected member of the Colorado State Legislature appointed by the CHSAA Board of Directors, two (one principal, one superintendent) representatives of the Colorado Association of School Executives (CASE), two at-large members described in 810.11(a), the President and a member from each of the districts as established in 810.44 of this section. The President, during the final year of his/her term when his/her district is represented by a second Board of Directors member, shall vote only to break a tie of the committee.

(a) The Committee shall select two diversity at-large members from nominations from each of three regions in the state, representing the nine districts noted in 810.43. A district may have two representatives, including the at-large representative. The at-large members must be a woman and one minority, who may also be a woman. Minority means a person of color—American Indian/Alaska Native, Asian, Black/African-American—not of Hispanic origin, and Hispanic, Hawaiian /Other Pacific Islander. The at-large members will be recommended and petitioned by the CHSAA staff, Board of Directors Regions and the Committee. The Committee shall make the final decision. The at-large members must be a woman and one minority, who may also be a woman regardless if the district representative from that same district is a women or minority. The at-large positions shall serve four-year terms, except in the first year where one will serve four and one two years to begin the rotation of terms as designated by the table below: If there is no minority or female representation among the voting membership of the Board of Directors, an at-large member who must be a female and/or a minority, shall be nominated by each Board of Directors district in the following order: District 1, District 2, District 3, District 4, District 5, District 6, District 7, District 8, District 9. The nominee shall be elected to a four-year term by the Legislative Council.

Region 1 (Districts 2, 3, 4): 2017-21-25-29-32

Region 2 (Districts 1, 5, 6): 2021-25-29-32-36

Region 3 (Districts 7, 8, 9): 2019-23-27-31-35
Administrative Proposals
(Requires majority vote for approval, unless otherwise noted)

It was seconded (Michael Krueger). After some discussion, the motion passed 44-25.

ADM 1 – CLASSIFICATION OF SCHOOLS

AMEND THE CONSTITUTION AND BY-LAWS to read:

Amend Rules by changing 1500.27 to read:

___   ___
yes   no

1500. CLASSIFICATION OF SCHOOLS

1500.27 EXCEPTION 2: A school may apply to the CLOC to play down one classification in team sports and qualify for the playoffs, if the following conditions are met:

a. The sport has had a combined varsity winning percentage of less than .250 for the previous four seasons.
b. The play down will be approved for one classification cycle.
c. The school must show evidence that success will be limited if participation is in the regular classification.
d. A recommendation from a receiving league/conference must accompany the request.
e. The school shall not be approved to play down for a second consecutive cycle if either of the below occurred: during the two year cycle, the team win percentage was at or above 50%.
   1. during the two year cycle, the team qualified for post season play; or
f. The team playing down will not be eligible for post season consideration in the classification in which they are playing down.

Rationale Schools can play down a classification in any team sport to assist in rebuilding their programs; however they will not be eligible to qualify for post-season play in that classification. To begin with the next cycle (2016).

Pros The purpose of the play down is an effort to assist schools in rebuilding their programs. Post season qualifying should not be part of the consideration.

Allowing teams who play down to qualify for post season creates a conflict within the by-law itself in regards to criteria C. A team that is strong enough to qualify for post season play one classification lower should seemingly not have limited success in their designated classification.

Teams playing in their assigned classification should not have to miss post season opportunities for their teams because teams playing down are taking those post season qualifier berths.

Cons Teams may feel that post season qualifying is part of the “carrot” for playing down and rebuilding.
It was seconded (Jack Taylor). After some discussion by Commissioner Angelico, the motion failed 9-60.

**ADM 2 – COACHES REQUIRED TO ATTEND RULES MEETINGS**

*(Board of Directors)*

**AMEND THE CONSTITUTION AND BY-LAW to read:**

Amend Rules by changing 1650.1 to read:

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### 1650.

**COACHES REQUIRED TO ATTEND RULES MEETINGS**

| 1650.1 | All varsity head coaches shall attend annually a CHSAA approved rules clinic hosted by the CHSAA and the coaches association in their sport *once every two years* prior to the start of the first interscholastic contest.

**Penalty:** Coach placed on probation for first offense; restriction for subsequent *any* offenses.

| Q1: Are head coaches required to attend CHSAA approved rules clinics? |
|---|---|
| A1: Yes. A varsity head coach will be placed on probation for his/her first offense unless he/she has attended at least one rules interpretation clinic recognized by the CHSAA in his/her sport(s) prior to the start of current season. |

| Q2: Would a rules interpretation clinic, presented to the team and coaching staff during a preseason scrimmage, suffice as an approved clinic? |
|---|---|
| A2: Notification of the clinic, with the names of the clinic presenters, would have to be approved by the CHSAA prior to the scrimmage date. |

| Q3: What happens when a coach violates rule 1650.1? |
|---|---|
| A3: On the first violation, the coach will be put on probation. If a second violation occurs, the coach will be put on restriction. |
This proposal died for failure of a second.

**ADM 3 – GENERAL ELIGIBILITY REQUIREMENTS**

**AMEND THE CONSTITUTION AND BY-LAWS to read:**

Amend Rules by changing 1710 to read:

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<tr>
<td>yes</td>
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1710. **GENERAL ELIGIBILITY REQUIREMENTS**

(d) 2. Regaining Eligibility – students who have not met the academic requirements at the close of a semester may regain academic eligibility on the sixth Thursday following Labor Day for the first semester and on the Friday immediately prior to March 10th for the second semester; **with the exception of boys golf, boys tennis and softball which may regain eligibility after being restricted for the first 50% of the allowable regular season contests.**

**Rationale**

There is inequity in fall sports and students being able to regain eligibility and participate. Currently boys golf, boys tennis and softball are the only 3 sports that students cannot regain eligibility before the end of regular season competition. This also eliminates these athletes from potential state level participation.

Number of contests with restricted eligibility; golf 99 holes, tennis 5 matches, softball 9 games.

**Pros**

Allows students the opportunity to regain eligibility in boys golf, boys tennis and softball where they previously had no opportunity.

Provides more equity between sports with the potential to regain eligibility.

Uses the same game restriction as a non bona fide move over the summer

This proposal does not discount the importance of academic performance.

**Cons**

Could potentially be seen as lowering academic requirements.

Requires more monitoring on part of athletic director and coach.
It was seconded (Matt Mahan). The motion failed 29-41.

**ADM 4 – GENERAL ELIGIBILITY REQUIREMENTS**

**AMEND THE CONSTITUTION AND BY-LAWS to read:**

Amend Rules by changing 1710 to read:

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<th>yes</th>
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**1710. GENERAL ELIGIBILITY REQUIREMENTS**

(d) 2. Regaining Eligibility – students who have not met the academic requirements at the close of a semester may regain academic eligibility on the sixth Thursday following Labor Day after being restricted the first 50% of allowable contests for the first semester and on the Friday immediately prior to March 10th for the second semester.

**Rationale**

There is inequity among sports and the regain date. Allowing students a consistent percentage of game restriction will help equity. This proposal allows for potential participation at state level events for all students.

**Pros**

Students will miss the same percentage amount of contests for fall sports.

Provides equity.

Uses the same game restriction as the non bona fide summer move.

Proposal does not discount the importance of academic performance.

Could increase student participation.

**Cons**

Could be seen as lowering academic requirements.

Increases the number of contests for participation in all fall sports.

Requires more monitoring by athletic director and coach.
1800. TRANSFER

A student entering high school for the first time shall be eligible for all interscholastic athletic competition.

After entry into high school, a student who transfers will be eligible to participate at the sub-varsity level for the first 50% of the athletic season and at the varsity level for the remaining 50% of the athletic season and any playoff opportunities where the program qualifies.

A student who transfers after the beginning of the school year will be eligible for sub-varsity participation only for the remainder of that school year.

Editor's note should this bylaw pass, all bona fide move section, all summer transfer section (keep Q & A with 50% numbers per sport), mid-year transfer and athletic transfer section, hardship, international students will be deleted.

Rationale

This creates a clear, understandable and enforceable transfer rule. All transfer play sub-varsity for the first 50% of a season, with the exception of mid-year transfers who are sub-varsity for the remainder of that school year.

Pros

- clear and understandable
- easy to enforce consistently
- eliminates transfer paperwork and waivers
- eliminates manipulation and confusion around current transfer rules
- supports educational choice
- allows athletes losing a position time to keep that spot
- allows transfer time to acclimate to new program
- treats all transfers the same
- provides clear direction for students choosing to transfer
- supports state position around choice

Cons

- potentially greater impact on small schools or program struggling with numbers
- treats all transfers the same
It was seconded (Tristen Rogers). After some discussion, the motion failed 15-55.

**ADM 6 – TRANSFER**

(Board of Directors)

**AMEND THE CONSTITUTION AND BY-LAWS to read:**

Amend Rules by changing 1800.5 to read:

---

yes  no

---

**SUMMER TRANSFER**

1800.5 A student who transfers to a member school following the close of school for the summer and before the beginning of the school year, other than under the provisions stated in 1800.2, 1800.3 and 1800.6, will be ineligible for varsity competition in the first last 50% of the maximum regular season contests as well as all post season competition as determined by that classification in any sport in which the student was a participant during the past 12 months. The student's individual performance limits (innings, games, quarters, etc.) shall be adjusted accordingly. The student may practice with the team and participate in an interscholastic contest at the sub-varsity level during this time. If there is no sub-varsity level, the student may not participate in an interscholastic contest until the game restriction is met.

**Rationale**

The membership has become increasingly concerned about the transferring of students for athletics to participate in the state playoffs. This proposal allows students to make changes in schools and participate in the first 50% of the regular season contests, but restricts participation the second 50% as well as post season play. By limiting the regular season participation during the second half of the season, it allows the schools the opportunity to prepare for the playoffs with a roster devoid of transfers.

**Pros**

Gives schools flexibility to prepare for playoffs without transfers during the second half of the season. Maintains a competitive balance where transfers do not dictate playoff success.

**Cons**

Potential for coaches to sit transfers for the entire season. Transfers may inflate an otherwise underserving teams record in the first half of the season.
It was seconded (Chris Noll). The motion failed 20-50.

**ADM 7 – TRANSFER**

**AMEND THE CONSTITUTION AND BY-LAWS to read:**

Amend Rules by changing 1800.5 to read:

<table>
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<th>no</th>
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</thead>
</table>

**SUMMER TRANSFER**

**ARTICLE 18**

**TRANSFER**

**SUMMER TRANSFER**

1800.5 A student who transfers to a member school following the close of school for the summer and before the beginning of the school year, other than under the provisions stated in 1800.2, 1800.3 and 1800.6, will be ineligible for varsity competition in the first 50% of the maximum regular season contests determined by that classification in any sport in which the student was a participant during the past 12 months. The student's individual performance limits (innings, games, quarters, etc.) shall be adjusted accordingly. The student may practice with the team and participate in an interscholastic contest at the sub-varsity level during this time. If there is no sub-varsity level, the student may not participate in an interscholastic contest until the game restriction is met.

Spirit athletes who transfer without a bona fide family move will have restricted eligibility (non-participation in all games, competitions, performances, pep rallies) until the sixth Friday after the first contest date.

**Q1:** What is the eligibility for a student who as a freshman participated in volleyball, girls’ swimming and soccer at School A, if this student transfers after her sophomore volleyball season without a bona fide family move?

**A1:** She would be sub-varsity eligible only in girls’ swimming and girls’ soccer and sub-varsity eligible for the first 50% of the season in volleyball as a junior.

**Q2:** How many contests may a student play after transferring over the summer?

**A2:** A student who transfers schools over the summer without a bona fide family move will have restricted eligibility for the first 50% of the regular season and may have varsity eligibility during the second 50% of the regular season (holes of golf/wrestling points) under the conditions of 1800.5 and 1800.6 as follows:

<table>
<thead>
<tr>
<th>Sport</th>
<th>Number of contests with restricted eligibility at beginning of the regular season</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseball</td>
<td>9 games</td>
</tr>
<tr>
<td>Basketball</td>
<td>1A, 2A, 3A – 9 games; 4A, 5A – 11 games</td>
</tr>
<tr>
<td>Cross Country</td>
<td>5 meets</td>
</tr>
<tr>
<td>Field Hockey</td>
<td>7 games</td>
</tr>
<tr>
<td>Football</td>
<td>6-man, 8-man, 1A, 2A, 5A – 4 games</td>
</tr>
<tr>
<td>Football</td>
<td>3A, 4A, – 5 games</td>
</tr>
<tr>
<td>Golf (holes)</td>
<td>99 holes</td>
</tr>
<tr>
<td>Gymnastics</td>
<td>5 meets</td>
</tr>
<tr>
<td>Ice Hockey</td>
<td>9 games</td>
</tr>
</tbody>
</table>
Lacrosse 7 games
Skiing The first of 3 qualifying events
Soccer 7 games
Softball 9 games
Spirit Non-participation in all varsity games, competitions, performances, pep rallies until the sixth Friday after the first contest date.
Swimming 5 meets
Tennis 5 matches
Track & Field 5 meets
Volleyball 1A, 2A – 9 matches; 3A, 4A, 5A – 11 matches
Wrestling 14 points

Q3: Are the game restrictions prorated for those schools that do not schedule a full slate of contests in a specific sport?
A3: No.

Q4: A student attends School A and is a member of the volleyball team as a junior. In her senior year on the first day of formal practice, she actively participates in practice at School B. Without a parental move, the student then enrolls at School A and participates in A’s practice the next day.
A4: The student shall be ineligible for varsity volleyball for the remainder of that season.

Q5: An incoming freshman enrolls at School A and participates in conditioning drills and timed 40-yard dashes on the first day of formal practice. The next day the student enrolls at School B and wishes to become a candidate for the varsity football team.
A5: The student may not participate at the varsity level in football at School B because of his active participation in practice at School A.

Q6: A student is a candidate for the JV team at School A on the first day of formal practice. Without a parental move, the student transfers to School B and becomes a candidate for the B JV team. Is he immediately eligible?
A6: No. A Restricted Waiver must be approved before he is eligible to compete on the JV level. He is not eligible for varsity competition.

**MID YEAR TRANSFER & ATHLETIC TRANSFER**

1800.6 Except as specifically provided in by-laws through 1800.3, 1800.61, 1800.67, and 1800.7, any student who transfers schools after the beginning of the school year will not have varsity eligibility at the receiving school for one calendar year the remainder of that school year and is subject to the provisions of by-law 1800.5 for the following school year for up to one calendar year after the school transfer. Any transfer substantially motivated by athletic considerations will cause the student to be ineligible for varsity competition for one calendar year from the date of the transfer in any sport(s) they participated in during the twelve months prior to the transfer, regardless of a bona fide family move.
**EXCEPTION 1:** A student, regardless of past participation as noted in 1800.62, who transfers schools at the beginning of the school year but after becoming a team member in a sport in any high school will be ineligible for varsity competition in that sport for the remainder of that sports season. A student becomes a team member when he/she reports for formal practice and is actively in contention for a position on the team.

For purposes of this rule, "the beginning of the school year" shall be defined as that period of time prior to a student's enrollment and attendance for 15 days or his/her participation in an interscholastic contest or scrimmage.

**EXECPTION 2:** A student transferring, moving or for any reason changing to a new school where the student's non-school coach is also a coach of the school team, is considered to be attending for athletic purposes, regardless of a bona fide family move. The student, as a result of this transfer, will be ineligible for varsity competition for one calendar year from the date of the transfer in any sport(s) they participated in during the twelve months prior to the transfer. As used in this Rule, the term "coach" includes any person who coaches, volunteers (regardless of compensation) or assists in any capacity with the coaching or training of the school or non-school team.

**NOTE:** For purposes of this by-law and its exceptions, no personal relationship or one-on-one/group coaching or individual contact is required for application of this rule. If a coach has any standing with the outside team/organization/business, that coach is considered a coach of that non-school sports team.

**1800.61 SUB-VARSITY ELIGIBILITY** - A student will be granted sub-varsity eligibility by the Commissioner upon submittal of a restricted waiver request signed by the principals of the sending and receiving schools.

**1800.62 NON-PARTICIPATION** - A student who has not participated in an interscholastic contest or scrimmage in a specific sport at any level (varsity, junior varsity, sophomore, and freshman) during the 12 calendar months preceding the date of transfer shall have varsity eligibility at the receiving school in that specific sport at all levels of competition.

**1800.63 RETURN TO ORIGINAL SCHOOL** - A student who has not participated in an interscholastic contest or scrimmage for any team at any level while a student in the previous high school shall be varsity eligible at all levels in all sports provided he/she returns to the high school he/she attended prior to the period of non-participation.

**1800.64 TRANSFER FROM A NON-MEMBER SCHOOL** - A student who resides in Colorado and who has never previously been enrolled in a member school and who transfers to a member school from a non-member school shall have varsity eligibility at the receiving school.

**1800.65 BROKEN HOME** - A student of a broken home will be exempt from the transfer rule for the first move in high school from one parent to the other. Note: The exception will exist only if it is determined by either school that the move is not athletically motivated. A waiver must be filed and approved prior to competition.

**1800.66 BOARDING SCHOOL** - A student who transfers to become a full-time resident of a 24-hour boarding school (a duly licensed school providing lodging and meals) in a community, district or state other than where he/she has resided with his/her parent(s) or guardians, has varsity eligibility on the first such transfer, but all transfer rule requirements shall apply on any subsequent transfer.

**1800.67 TRANSFER PURSUANT TO IEP** - A student who has been identified as a student with a disability who transfers to a member school to comply with a specific
requirement in his/her Individualized Education Plan (IEP) has varsity eligibility at the receiving school. A waiver must be filed and approved prior to competition.

HARDSHIP

1800.7 When the definition of a hardship has been met, the Commissioner may grant varsity eligibility pursuant to the provisions of Article 25 of these By-laws. Unless the school determines that a hardship has been met (per 1800.71), the school cannot submit a hardship waiver. Detailed documentation must accompany any request.

1800.71 "Hardship" means an unforeseen, unavoidable and uncorrectable act, condition or event that imposes a severe, non-athletic burden upon the student or his/her family. The Commissioner shall have broad discretion in applying this standard to specific cases. He/She may take into consideration not only the needs of the student and family directly involved, but also the best interest of member schools and interscholastic athletics/activities generally as he/she understands those interests.

1800.72 All transfer waiver applications shall be processed on forms approved by the CHSAA and in accordance with the following procedures:

(a) A transfer waiver shall first be submitted to the principals at the student's sending and receiving schools. If either principal disapproves of the waiver, he/she shall state his/her reasons in writing.

(b) The transfer waiver, with the recommendations of the principals, shall then be submitted to the receiving school's league for a vote.

(c) The recommendation of the principals and the league and all other information that the applicant wished to be considered in support of the waiver application shall be submitted in writing to the Commissioner. The burden of proof to establish a hardship shall be upon the applicant.

(d) The Commissioner or his/her designee may conduct additional investigations as he/she deems necessary. The application and any additional information gathered by the Commissioner or his/her designee shall constitute the record of the proceeding. The Commissioner will make a timely written decision based on the information in the record.

(e) The Commissioner's decision may be appealed pursuant to Article 25 of these By-laws.

(f) The decision of the Commissioner shall be upheld unless it is shown by clear and convincing evidence in the record to be arbitrary or capricious.

(g) Transfer waivers cannot be approved for a school transfer found to be substantially motivated by athletic considerations.

1800.73 No transfer waiver may be granted that would cause a student who is ineligible in the sending school to become eligible at the receiving school.
Rationale
This would consolidate and create a more streamlined transfer rule

Pros
Bona fide family allows the student to be eligible at the varsity level upon enrolling at new school (1800.3)

Transfer pursuant to IEP – student who has been identified as a student with a disability (IEP) has varsity eligibility

Broken Home – A student of a broken home will be exempt for the transfer rule if guidelines are met

When the definition of a hardship has been met, the Commissioner may grant varsity eligibility pursuant to the provisions of Article 25

Eliminates the 50% eligibility Bylaw for all students that transfer over the summer

Tracking eligibility is easier when they students are now ineligible for 365 from the date of transfer

Cons

Student/Athlete is not eligible to play at the varsity level for one calendar year (of any sports played in the past twelve months) following the transfer

Senior transfer would have no restricted varsity eligibility
It was seconded (Craig Bailey). The motion passed 61-9.

ADM 8 - SUNDAY CONTACT
(Board of Directors)

AMEND THE CONSTITUTION AND BY-LAW to read:

Add Q & A to 2310.5 to read:

___ ___
yes no

2310. PRACTICE

Q8: What type of social media contact is allowed on Sunday?

A8: Contact on Sundays will permitted via social media such as Twitter and Facebook, so long as it is done in a public way and not direct communication with an individual athlete, or a call-to-action of any kind. A call to action would be a request for that recipient to follow through on a request on a Sunday, (i.e., view a posted game film, etc.) Private communication, such as direct messages, are not permitted. Group texts to teams on Sundays which include administrators are permitted, but text messages to individual athletes are not.
It was seconded (Jon King). The motion passed 66-4.

**ADM 9 – REGISTERED OFFICIALS LIST**

AMEND THE CONSTITUTION AND BY-LAW to read:

Amend Rules by changing 2720.1 to read:

___ ___

yes no

<table>
<thead>
<tr>
<th>2720</th>
<th>REGISTERED OFFICIALS LIST</th>
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<tbody>
<tr>
<td>2720.1</td>
<td>Each member of an officials’ organization shall have registered through the CHSAA automated registration system and submitted to a consent to background check for a specified amount of time. Each officials’ organization will annually submit a list of its members whom they wish to have registered by the CHSAA to officiate interscholastic contests. Only those officials who have completed their officials’ organization eligibility check list are registered with the Commissioner may be contracted by member schools to officiate in all varsity and junior varsity contests.</td>
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</table>

**Rationale**

The registered officials list is no longer submitted by the officials’ organization. The bylaw change clarifies that all officials register online and submit to a background via the CHSAA automated system. Therefore the CHSAA controls the registration.

**Pros**

The procedure for registering an official has changed over time and the process needed to be clarified and updated in the bylaw.

**Cons**

None
It was seconded (Chris Cline). The motion passed 67-3.

ADM 10 – OFFICIALS’ CONDUCT

AMEND THE CONSTITUTION AND BY-LAW to read:

Amend Rules by changing 2760 to read:

___ yes ___ no

2760 OFFICIALS’ CONDUCT

Any registered official who has been registered by his/her parent officials' group may be suspended and/or banned from the CHSAA registered list of officials for a specified amount of time (including a lifetime ban) by recommendation of the officials' organization's governing board, when:

Rationale Clarifies that an official is registered by the CHSAA and not by the officials’ organization.

Pros For issues involving discipline it is important to know who in fact is responsible for registering the official and where that information can be found.

Cons None
Sport Proposals
(Requires majority vote for approval, unless otherwise noted)

It was seconded (Michael Krueger). After some discussion, the motion passed 46-24.

S 1 – MAXIMUM QUARTERS INDIVIDUAL (Pikes Peak Athletic Conference)

AMEND THE CONSTITUTION AND BY-LAW to read:

Amend Rules by changing 3340 to read:

___ ___

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### 3340. MAXIMUM QUARTERS INDIVIDUAL

A student may not participate in more than 56 football quarters listed, exclusive of kicking plays and state playoff games.

8 games = 42 Quarters
9 games = 48 Quarters
10 games = 52 Quarters

In addition, a student-athlete may participate in no more than 6 quarters per week.
A week is defined as Thursday to Thursday.
An exception may be made of the 6 quarter rule for postponed contests.

**Rationale**
After extensive discussion about the safety of football student-athletes and the current 56 quarter rule that presents inequities for varying season lengths, the football committee determined that the quarters listed above would be a proactive positive step to potentially help protect football athletes.

**Pros**
Provides equity for the maximum number of quarters based on the length of an individual programs season.
Provides a cap for the number of quarters an athlete is permitted to play in a week.
May have an impact on scheduling sub-varsity contest. Specifically we may see more JV games on Monday.
Proactive step regarding safety of players in Colorado.

**Cons**
May have an impact on scheduling sub-varsity contest, specifically we may see more JV games on Monday.
May impact schools ability to field multiple levels (JV & C Teams)
Administrative Committee Reports
(Requires majority vote for approval, unless otherwise noted)

Budget/Property Administration (first reading)
Chairman Jeff Durbin presented the first reading of the Budget/Property Administration Committee Report, reviewed the major changes, and moved for adoption of the report. The motion was seconded (Doug Pfau) and approved 68-2.

Classification and League Organizing Committee
Chairman Randy Holmen presented the Classification and League Organizing Committee Report, reviewed the major changes, and moved for adoption of the report. The motion was seconded (Larry Bull) and approved 60-10.

Coaching Education Registration Advisory (CERAC)
Chairman Derek Chaney presented the Coaching Education Registration Advisory Committee Report, reviewed the major changes, and moved for adoption of the report. The motion was seconded (Tracey Johnson) and approved 56-14.

Officials’ Fees
Chairman Glenda Bates presented the Officials’ Fees Committee Report, reviewed the major changes, and moved for adoption of the report. The motion was seconded (Tom West) and approved 60-9.

Activity Committee Reports

Student Leadership
In the absence of Rashaan Davis, Chairman of the Student Leadership Committee, the report was presented by Assistant Commissioner Harry Waterman. He reviewed the major changes, and moved for adoption of the report. The motion was seconded (Ryan Christensen) and approved 69-0.

Sport Committee Reports

Baseball
Chairman Robert Framel presented the Baseball Committee Report, reviewed the major changes, and moved for adoption of the report. The motion was seconded (Tracey Johnson). Discussion followed. Eddie Hartnett recognized the Adhoc Committee members.

Proposal S 1a – Amend to strike item A (Randy Powell, Southwestern League). The motion was seconded (Jimmie Lankford) and failed 31-38.

Proposal S 1b – Amend pitch count recommendation implementation (item A) to 2016. Baseball Committee will send out a recommendation to implement this year if possible. The motion was seconded (Luke DeWolfe) and passed 59-10.

A clerical error was noted on item A, and corrected. Valor???

The Baseball Committee Report as amended was put to a vote and passed 65-5.

Cross Country
Chairman Rick Macias presented the Cross Country Committee Report, reviewed the major changes, and moved for adoption of the report. The motion was seconded (Shelli Miles). After a lengthy discussion, the motion passed 64-5.
Field Hockey
Chairman Richard Judd presented the Field Hockey Committee Report, reviewed the major changes, and moved for adoption of the report. The motion was seconded (Jimmy Porter) and approved 67-0.

Football
Chairman Michael Krueger presented the Football Committee Report, reviewed the major changes, and moved for adoption of the report. The motion was seconded (Ryan Christensen) and approved 64-4.

Golf
Chairman Mike Hughes presented the Golf Committee Report, reviewed the major changes, (he clarified that A. should include competitive varsity rosters only, and also, Elizabeth will move from Metro-West to Colorado Springs league), and moved for adoption of the report. The motion was seconded (Rick Logan) and approved 53-14.

Gymnastics
In the absence of Stacey Folmar, Chairman of the Gymnastics Committee, the report was presented by Assistant Commissioner Bert Borgmann. He reviewed the major changes, and moved for adoption of the report. The motion was seconded (Jimmy Porter) and approved 67-1.

Soccer
Chairman Justin Saylor presented the Soccer Committee Report, reviewed the major changes, and moved for adoption of the report. The motion was seconded (Tracey Johnson) and approved 69-1.

Softball
Chairman Kelley Eichman presented the Softball Committee Report, reviewed the major changes, and moved for adoption of the report. The motion was seconded (Jeff Durbin) and approved 65-2.

Tennis
Chairman Diane Wolverton presented the Tennis Committee Report, reviewed the major changes, and moved for adoption of the report. The motion was seconded (Kevin Jones).

Clerical errors were noted on page 3 (Coronado needs to be added to CS Metro), on page 4 (CSM7 needs to be added to Region 3), on page 3, Broomfield needs to be added to Front Range. After some discussion, the motion was approved 66-1.

Volleyball
In the absence of Tracie Cormaney, Chairman of Volleyball Committee, the report was presented by Assistant Commissioner, Bethany Brookens. She reviewed the major changes, and moved for adoption of the report. The motion was seconded (Steve Longwell).

Proposal S 17a – Amend the report to go back to the state tournament schedule that was used in 2013 found on page 14. (Tom Arensdorf, Union Pacific). The motion was seconded (Craig Bailey) and failed 43-27.

The Volleyball Committee Report as presented was put to a vote and passed 55-14.
NOMINATIONS – BOARD OF DIRECTORS

The Legislative Council will elect representatives at the April meeting from nominations received at the January meeting.

Representatives to be replaced (4 year terms)

Representative for District 3 (High Plains, Lower Platte, Mile High, North Central, Patriot, Union Pacific, YWKC) from the North Central League as per the rotation schedule to replace Kathleen Leiding has been announced as Doug Pfau, Weldon Valley.

Representative for District 7 (CS 4A Metro, CS 5A Metro, Pikes’ Peak, Tri-Peaks, West Central) from the Tri-Peaks League as per the rotation schedule to replace Sandi Weece has been announced as Troy Baker, Buena Vista.

Colorado Commissioner of Education Representation will remain as Wendy Dunaway.

Colorado Association of School Executives Representative to replace Jim Lucas has been announced as Wendy Rubin, Chatfield.

President Curt Wilson will be replaced by Eddie Hartnett.

ADJOURNMENT

There being no further business before the Legislative Council, it was moved (Ryan Christensen), seconded (Frank Coppa) and unanimously approved to adjourn the meeting. The meeting was adjourned at 11:35 am.